

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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ANA CHALAS, Individually, and On
Behalf of All Others Similarly Situated,

Civil Action No.: 1:22-cv-03892-JMF

Plaintiff,

vs.

FAMILY FOOD PRODUCTS, INC.,

Defendant.

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NOTICE OF MOTION TO DISMISS THE COMPLAINT

PLEASE TAKE NOTICE that as soon as it may be heard, in the courtroom of the Honorable Jesse M. Furman, at the United States Courthouse for the Southern District of New York, located at Thurgood Marshall United States Courthouse, 40 Foley Square, New York, NY 10007, with oral argument to be held on a date and time to be designated by the Court, defendant Family Food Products, Inc. ("Defendant") will and hereby does move this Court for an order dismissing Plaintiff's complaint against Defendant for failure to state a claim under Federal Rule of Civil Procedure 12(b)(5). Defendant's motion is based on this Notice of Motion, Defendant's Memorandum in Support of its Motion to Dismiss Plaintiff's Complaint and the accompanying Declaration of Frank Krill in Support of Defendant's Motion to Dismiss Plaintiff's Complaint, any arguments of counsel and any other such materials properly considered by the Court at any hearing on this motion.

Date of Service: July 18, 2022

Respectfully submitted,

/s/ Eric J. Warner

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